

FILED

SEP 28 2006

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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FOXHOLLOW TECHNOLOGIES, INC.,  
7 JOHN B. SIMPSON, and  
MATTHEW B. FERGUSON  
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9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA

12 JAMES KELLEY, individually and  
on behalf of all those similarly situated,

13  
14 Plaintiff,

15 v.

16 FOXHOLLOW TECHNOLOGIES, INC.,  
JOHN B. SIMPSON, MATTHEW B.  
17 FERGUSON, and Does 1-10,

18 Defendants  
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Case No. C-06-5026-MHP

**STIPULATION EXTENDING  
DEFENDANTS' DEADLINE FOR  
RESPONDING TO COMPLAINT**

Date Comp. Filed: August 21, 2006

1 WHEREAS, pursuant to Local Rule 6-1(a) of the Civil Local Rules for the United States  
2 District Court for the Northern District of California the parties "may stipulate in writing,  
3 without a Court order, to extend the time within which to answer or otherwise respond to the  
4 complaint;" and

5 WHEREAS, the parties have met and conferred and agree that it is in their mutual  
6 interest to extend the defendants' time within which to answer or otherwise respond to the  
7 complaint,

8 **IT IS THEREFORE STIPULATED THAT:**

9 Defendants shall not be required to respond to the complaint in this action, or any  
10 complaint that is consolidated with this action, until 60 days after plaintiff's counsel either: (a)  
11 files an amended consolidated complaint; or (b) notifies defendants in writing that plaintiff's  
12 counsel does not intend to file an amended complaint.

13 Dated: September 25, 2006.

KEKER & VAN NEST, LLP

14  
15 By: 

16 PAULA L. BLIZZARD  
17 Attorneys for Defendants  
18 FOXHOLLOW TECHNOLOGIES, INC., et al.

19 Dated: September 25, 2006.

BRAMSON, PLUTZIK, MAHLET &  
BIRKHAUSER, LLP

20  
21 By: 

22 ALAN R. PLUTZIK  
23 Attorneys for Plaintiff  
24 JAMES KELLEY

25 Plaintiff shall either  
26 file an amended  
27 complaint or notify  
28 defendant to respond  
above on or before  
October 30, 2006.

